

EXHIBIT A

**Excerpt (pp. 160-164) from the
Deposition of Frontier Employee**

Elizabeth Zimmerman

March 17, 2022

ELIZABETH ZIMMERMAN Vol.II
DELVECCHIA V FRONTIER AIRLINES

March 17, 2022

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEVADA

3
4 PETER DELVECCHIA, et al.,)
5)
6 Plaintiffs,)
7)
8 vs.) Case No:
9) 2:19-CV-01322-KJD-DJA
10 FRONTIER AIRLINES, INC., et al.,)
11)
12 Defendants.)
13)
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VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF
ELIZABETH ZIMMERMAN
VOLUME II

March 17, 2022, 10:02 a.m.

Denver, CO

Reported by Diane Laur
For Esquire Deposition Solutions
600 East 17th Street, Suite 2800
Denver, Colorado 80202

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1 THE DEPONENT: I base it on the flight
2 attendant.

3 Q (By Mr. McKay) Again is that how you have been
4 instructed to proceed by your superiors at Frontier?

5 A. We gather the information, and then resolve.

6 Q. All right. Move to strike. Is that the
7 procedure that you have been told to follow by your
8 superiors at Frontier?

9 MR. MAYE: Object to form.

10 THE DEPONENT: To gather information, make a
11 determination, and respond.

12 Q (By Mr. McKay) Yes. But to gather information
13 only from flight attendants and not from other passengers?

14 MR. MAYE: Object to form.

15 THE DEPONENT: We don't reach out to other
16 passengers, no. That's not part of the process.

17 Q (By Mr. McKay) All right. And why is it not
18 part of the process?

19 A. That's not what we do. We just don't -- that's
20 not what I'm told to do. We just don't.

21 Q. Well, that's what I wanted to get to. It's not
22 part of the process because you've been told by your
23 superiors at Frontier not to do it?

24 MR. MAYE: Object to form.

25 THE DEPONENT: The process is, when we get the

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1 complaint, we follow up with inflight, determine the
2 resolution from there.

3 Q (By Mr. McKay) And I'm asking you if that
4 process has been mandated by your superiors?

5 A. We don't reach out to other passengers, no.

6 Q. Okay. That's not exactly what I'm asking. I'm
7 asking if you don't reach out to other passengers because
8 you've been told not to reach out to other passengers?

9 A. I'm not quite sure what you mean. You say don't
10 reach out to anyone, is that what you're saying?

11 Q. When you say that it's not part of your process
12 to reach out to other passengers, is that because you've
13 been instructed not to reach out to other passengers?

14 A. It's our process.

15 Q. I'm not leaving this alone.

16 A. Okay.

17 Q. Are you saying that your superiors, at Frontier,
18 have instructed you not to reach out to other passengers
19 to resolve questions of fact such as this one?

20 MR. MAYE: Object to form.

21 THE DEPONENT: The process that we've always had
22 is to read the complaint, follow up with the appropriate
23 department, and to respond.

24 Q (By Mr. McKay) And you did not include in that
25 following up with any other witnesses such as other

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1 passengers, and why is that omitted?

2 A. We follow the process of following up in the
3 appropriate department and responding from there.

4 Q. And who wrote the process?

5 MR. MAYE: Object, form.

6 THE DEPONENT: I honestly don't know.

7 Q (By Mr. McKay) But is it your understanding that
8 the process is to be followed in the way it's always been
9 done?

10 A. It's the process that we follow.

11 Q. I understand it's the process that you follow.
12 My question is different. My question asks you if it's
13 your understanding that you are required to follow the
14 process as it has been provided to you?

15 A. We follow the process that's been provided, yes.

16 Q. And you do it because you've been told you need
17 to do it that way?

18 MR. MAYE: Object to form.

19 THE DEPONENT: It's the process.

20 Q (By Mr. McKay) You don't need to educate me that
21 it's the process. I get that. I'm asking you if you've
22 been told that you have to follow the process?

23 MR. MAYE: Object to form.

24 THE DEPONENT: That's the process. I guess I
25 don't understand if you're asking if I can just do

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1 whatever I want to do or --

2 Q (By Mr. McKay) Sure, let's ask that. We
3 might --

4 A. I follow the process.

5 Q. Can you do whatever you want to do? We were
6 talking at the same time. Can you do whatever you want to
7 do?

8 A. I'm sorry?

9 Q. Can you, in your job, deal with a complaint in
10 any manner that you want to?

11 A. No.

12 Q. And that's because there's a process?

13 A. Yes.

14 Q. And the process is something that you've been
15 trained on?

16 A. Yes.

17 Q. And that training has been by Frontier Airlines?

18 A. Yes.

19 Q. And that process says that when you receive a
20 complaint, you check with the flight attendants or station
21 managers, and then make a determination, right?

22 A. Correct.

23 Q. And that process does not include any discretion
24 to check with other witnesses such as other passengers on
25 a flight, right?

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1 A. Correct.

2 Q. So that as a result, if a passenger complains
3 about being discriminated against on a flight and the
4 passenger says it was done by a flight attendant, and the
5 passenger even says there are other passengers who will
6 support my version of the facts, because of the process,
7 you will not contact any of those other passengers,
8 correct?

9 A. Correct.

10 Q. And you will make a determination, based on what
11 the flight attendants tell you?

12 A. Correct.

13 Q. And if the flight attendants say there was no
14 discrimination, then you will make a determination, on
15 behalf of Frontier, that there was no discrimination?

16 MR. MAYE: Object to form.

17 THE DEPONENT: Correct.

18 Q (By Mr. McKay) All right. Okay. Moving on now
19 to E. Zimmerman Deposition Exhibit 8, bearing incident
20 reference number 1812270-000440, it is a seven-page
21 document, which bears Bates number 1413 on the first page.

22 Is this a write-up of a discrimination complaint
23 that you handled?

24 A. Yes.

25 Q. And is it a business record of the Denver team